



HB 426 – Correctional Facilities – Transgender, Nonbinary, and Intersex Inmates (Transgender Respect, Agency and Dignity Act)

Committee: Judiciary

Date: February 21, 2023

POSITION: Support

The Maryland Coalition of Families: Maryland Coalition of Families (MCF) helps families who care for a loved one with behavioral health needs. Using personal experience, our staff provide one-to-one peer support and navigation services to family members with a child, youth or adult with a mental health, substance use or gambling challenge.

MCF strongly supports HB 426.

HB 426 would allow LGBTQ individuals to request transfer to gender appropriate facilities based on their housing preferences and safety concerns. It permits, however, for these requests to be denied based on a preexisting history of violence that would present security concerns.

In addition, it prohibits discrimination from an employee of a correctional facility against inmates of a wide arrange of protected classes, including gender identity.

The bill is needed since transgender individuals are many times more likely to be victims of violence when incarcerated than the general population, not only by other prisoners, but also by staff. Moreover, they are often placed in solitary confinement for their safety, but this is against their will.

Transgender inmates should have the say about where they want to be placed, unless they have a history of violence and pose security concerns. **As the mother of a transgender child (who is now 34, and has lived as a trans-man since the age of 19), I would desperately hope that should he be incarcerated, he could make the decision about where he would feel the safest. I have no idea where he would select to be placed, I only know that as a trans-man he would be at high risk of victimization, so he should have say.**

HB 426 will make Maryland prisons and jails safer by eliminating one of the most consistent causes of harm inside facilities.

For these reasons we urge a favorable report on HB 426.

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